

# Federal Defenders OF NEW YORK, INC.

Southern District  
300 Quarropas Street, Room 260  
White Plains, N.Y. 10601-4150  
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Leonard E. Joy  
Executive Director and  
Attorney-in-Chief

December 12, 2007

Paul E. Davison  
Attorney-in-Charge  
White Plains

Honorable Charles L. Brieant  
United States District Judge  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Re: United States v. Theodore O'Brien  
07 Cr. 602 (CLB)

Dear Judge Brieant:

I was contacted yesterday by Ms. Pamela Perea, United States Probation Department Assistant, tel. (212) 805-5116, who is responsible for coordinating voluntary surrenders.

Ms. Perea informed me that the Bureau of Prisons has not yet designated a facility for Mr. O'Brien to surrender to, and asked me to request a three week adjournment of Mr. O'Brien's surrender date, presently set for December 18, 2007. Because medical issues are involved, Ms. Perea does not believe that Mr. O'Brien can be designated in time for the scheduled surrender.

I discussed this request with Assistant United States Attorney Richard Tarlowe, who informed that the Government, having opposed a voluntary surrender in this case, does **not** consent to postponement of the surrender date.

Nonetheless, I respectfully request that the Court grant a three week adjournment of Mr. O'Brien's surrender from December 18, 2007, to January 8, 2008. I enclose a proposed Order for the Court's convenience. Thank you for your consideration.

Respectfully,

Paul E. Davison  
(914) 428-7126

Richard Tarlowe, Esq.  
Assistant United States Attorney

*The date for defendant O'Brien to surrender is adjourned to December 27, 2007. The court has been advised by AUSA Richard Tarlowe that he does consent to the adjournment to Dec 27, 2007.*

*cc: Charles L. Brieant  
Dec 14, 2007*

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